

**Chapter 18.120*****Certificates of Compliance*****18.120.010 Applicability**

Any interested person may request, and the City shall determine, whether a real property complies with the provisions of the Subdivision Map Act and this Title. If the City determines that the real property complies, the City shall cause a certificate of compliance to be filed for record with the Recorder of the County of Riverside. The certificate of compliance shall identify the real property and shall state that the division of the real property complies with applicable provisions of the Subdivision Map Act and this Title. Certificates issued by the City through the Approving or Appeal Authority shall include the following:

**A. Certificate of Compliance.**

A Certificate of Compliance is issued when the real property is in compliance with the Subdivision Map Act and this Title.

**B. Conditional Certificate of Compliance.**

A Conditional Certificate of Compliance is issued when it is determined that the subject property was divided in violation of the Subdivision Map Act or this Title, and conditions are imposed.

**C. Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/Unmerger.**

A Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/Unmerger is issued when a lot line adjustment is approved pursuant to the provisions of Chapter 18.100 Lot Line Adjustments, Consolidations and Merger/unmergers.

**D. Certificate of Compliance for Parcel Map Waiver.**

A Certificate of Compliance for Parcel Map Waiver is issued when the filing of a parcel map is waived pursuant to the provisions of Chapter 18.110 Parcel Map Waivers.

**18.120.020 Determination of Compliance the City Surveyor**

At the request of an interested party, the City Surveyor will determine whether or not that the real property is in compliance with the provisions of the Subdivision Map Act and this Title which were applicable at the time the property was divided. The applicant shall be notified in writing of such determination.

**18.120.030 Certificate of Compliance****A. Application for Certificate of Compliance.**

If the City Surveyor determines that the real property is in compliance with the provisions of the Subdivision Map Act and this Title which were applicable at the time the property was divided, the applicant may file an application for a Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. If the application for a Certificate of Compliance is filed within one (1) year or less following the Determination of Compliance by the City Surveyor, the application need only be accompanied by any current vesting deed(s) not submitted with the Application for Determination. If the application for a Certificate of Compliance is filed over one (1) year following the Determination of Compliance, the application for a Certificate of Compliance shall be accompanied by the current vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents, including the vesting deed(s) and map have been received together with the processing fee.

**B. Preparation of Certificate of Compliance.**

The application and any accompanying materials shall be forwarded by the Planning Division to the City Surveyor for preparation of the Certificate of Compliance within five (5) working days of receipt of a completed application. The City Surveyor shall within five (5) working days of referral prepare the Certificate of Compliance, unless the City Surveyor finds and determines that changed circumstances prevent the issuance of the Certificate of Compliance, in which event, the City Surveyor shall issue a notice of determination in accordance with the provisions of Section 18.120.020 Determination of

Compliance the City Surveyor. The Certificate of Compliance shall contain the information as set forth in Section 18.120.050 Required Information on Certificates.

C. Issuance.

Upon receipt of the Certificate of Compliance from the City Surveyor, the Approving or Appeal Authority shall issue the Certificate of Compliance. The Approving or Appeal Authority shall then cause the applicant to be notified of the estimated recording fees for recording the Certificate of Compliance.

D. Payment of Recording Fee; Recordation.

Upon issuance of the Certificate of Compliance and payment to the City of the estimated recording fees by the applicant, the Approving or Appeal Authority shall then cause the Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance of the estimated recording fees shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded.

**18.120.040 Conditional Certificate of Compliance**

A. Application for Conditional Certificate of Compliance.

If the City Surveyor determines that the real property was divided in violation of the provisions of the Subdivision Map Act or this Title which were applicable at the time the property was divided, the applicant shall within thirty (30) days of such determination file an application for a Conditional Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. Failure to file an application in thirty (30) days will result in enforcement as prescribed under Chapter 18.070 Enforcement. The application for a Certificate of Conditional Compliance need only be accompanied by any current vesting deed(s) not submitted with the Application for Determination; provided, however, if the application for a Conditional Certificate of Compliance is filed over one (1) year from the date of the notice of the determination by the City Surveyor of noncompliance, the application for a Conditional Certificate of Compliance shall be accompanied by the current vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents including the vesting deed(s) and map have been received together with the processing fee.

B. Zoning Administrator's Decision.

If the City Surveyor has determined that the real property was divided in violation of the Subdivision Map Act or this Title, the Zoning Administrator may either administratively issue a Conditional Certificate of Compliance, thereby approving the Conditional Certificate of Compliance or refer the matter to the Planning Commission as hereinafter provided. Such decision shall be made within twenty (20) working days after receipt of the completed application and written notice shall be given to the applicant. The decision to refer the matter to the Planning Commission is not appealable.

Written notice of the Zoning Administrator's decision to approve the conditional certificate of Compliance, including conditions imposed, shall be forwarded to the applicant. The Zoning Administrator's decision to issue a Conditional Certificate of Compliance, shall be final and effective ten (10) days following the notice of decision, unless the applicant or other interested party files an appeal the action in accordance with Chapter 18.170 Appeals.

C. Conditions.

The Zoning Administrator may impose such conditions on the issuance of the Conditional Certificate of Compliance as would have been applicable to the division of the property at the time that the current owner of record acquired the property; except that where the applicant was the owner of record at the time of the initial violation, who by a grant of the real property created a parcel or parcels in violation of the Subdivision Map Act or this Title, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the Zoning Administrator may impose such conditions as would be applicable to a current division of the property, including the requirement of filing a parcel map or tract map.

The conditions may be fulfilled and implemented by the owner or vendee who applied for the Conditional Certificate of Compliance or any subsequent owner. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the City, unless the property is thereafter included as a part of a legal division of said real property pursuant to the provisions of this Title.

D. Preparation of Conditional Certificate of Compliance.

At such time as the decision of the Zoning Administrator or the Planning Commission acting in its capacity as Zoning Administrator, or, in the case of an appeal, the decision of the City Council to issue a Conditional Certificate of Compliance is final, the application and any conditions imposed shall be forwarded by the Planning Division to the City Surveyor for preparation of the Conditional Certificate of Compliance within five (5) days of the decision becoming final. The City Surveyor shall within five (5) working days of referral prepare the Conditional Certificate of Compliance. The Conditional Certificate of Compliance shall contain the information as set forth in Section 18.120.050 Required Information on Certificates.

E. Issuance.

Upon receipt of the Conditional Certificate of Compliance from the City Surveyor, the Zoning Administrator shall issue the Conditional Certificate of Compliance. The Zoning Administrator shall then cause the applicant to be notified of the estimated recording fees for recording the Conditional Certificate of Compliance.

F. Payment of Recording Fee; Recordation.

Upon remittance to the City of the estimated recording fees by the applicant, the Zoning Administrator shall then cause the Conditional Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded.

G. Completion of Conditions.

Upon completion of the conditions imposed by a Conditional Certificate of Completion, the owner shall notify the Zoning Administrator. If the conditions are satisfactorily completed, the Zoning Administrator shall then issue and record a final Certificate of Compliance upon the payment by the applicant of any fee as may be established by the City's Fee Resolution, together with the estimated recording costs.

**18.120.050 Required Information on Certificates**

Each Certificate of Compliance or Conditional Certificate of Compliance shall include the following information:

1. Name or names of owners of record;
2. Assessor parcel number or numbers of the parcel;
3. The number of parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued;
4. The legal description of the parcel or parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued and recorded;
5. A Notice stating as follows:  
  
"This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and any local Codes enacted pursuant thereto including Title 18 of the Riverside Municipal Code. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local Code enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval."; and
6. Any conditions to be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property.

**18.120.060 Right of Development**

The issuance of a Certificate of Compliance or a Conditional Certificate of Compliance does not imply or grant the right of development of the said property.

**18.120.070 Appeals**

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving Authority with respect to the approval or disapproval of a Certificate of Compliance or the conditions of approval imposed, is aggrieved by the action, they can appeal the action in accordance with Chapter 18.170 Appeals.

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